

# MONTANA FISH, WILDLIFE & PARKS

## LAW ENFORCEMENT DIVISION

EXHIBIT 3

DATE 02/08/2013

HB Joint sub Approps  
SUB Natural  
Resources and  
Transportation

### DIVISION OVERVIEW

The Law Enforcement Division is responsible for ensuring compliance with laws and regulations aimed at the conservation and protection of big game animals, fur-bearing animals, fish, game birds, and other wildlife species. It enforces the laws and regulations relative to lands and waters under the jurisdiction of FWP such as state parks, fishing access sites, and wildlife management areas, as well as those pertaining to outfitters/guides, boating, snowmobiles, and off highway vehicle safety and registration. Other duties include block management patrols, stream access enforcement, commercial wildlife permitting, hunter education, license vendor contracts, game damage response, urban wildlife activities, and assisting other law enforcement agencies as requested.

### ACCOMPLISHMENTS

- Wardens made approximately 194,000 personal contacts in 2011 & 2012.
- The number of 1-800-TIPMONT calls, reporting resource violations and criminal activity, doubled in the past decade to more than 2,300 a year. Access to cell phones, increased promotion of the TIPMONT program, and public intolerance for violations led the growth in calls.
- Enforcement works closely with the Montana Department of Revenue to investigate residency cases. One case resulted in more than \$300,000 in back taxes being assessed to an individual. In 2012, an MOU streamlined the investigative process and will result in increased collection of back taxes as well as the identification of hunting/fishing license fraud.
- Enforcement issues an average of 4,500 formal citations for fish and game violations annually. Based on formal citations processed each year, FWP has an average conviction rate of 92 percent. In addition, wardens gave over 4,800 written and 13,000 verbal warnings over the past two years. They also worked on 233 complaints generated through local county attorneys.
- Wardens attended more than 2,700 hours of professional training and in turn conducted 575 training sessions in 2011 and 2012. This training is important for officer safety and also provides wardens with information needed to be successful in criminal court cases.

### CHALLENGES

- Vast Territories. With almost half the population of Montana participating in fishing and hunting, Montana game wardens are spread thin; each covers an area of about 2,000 square miles (about the size of Delaware).
- Communications and Safety. There are critical issues for wardens routinely working alone in remote locations. Over the past 10 years, Enforcement has switched to digital communications along with numerous other public safety agencies in the state. FWP Wardens are slowly getting other investigative and safety tools such as in-vehicle access to CJIN and other law enforcement systems. This is a costly move with the necessity to first deploy and then update equipment to maintain interoperability as well as public/officer safety. Ongoing appropriations are needed for acquisition, replacement and updating to maintain the usefulness and operation of these systems.
- Recruitment and Retention. By law, wardens are on call 24/7 yet are compensated at far below their local and state colleagues. This, combined with other better-paying opportunities in other states or even in other fields (such as in energy-development work), continues to challenge the warden force in Montana. As a result of turnover, FWP must continually expend resources to train new wardens.

### CHALLENGES (cont.)

- **Organized Crime.** Major cases involving the illicit commercialization of the state's wild resources continue to grow but prosecutorial support is still needed to assist local county attorneys with complex cases. Currently, .50 FTE at the Attorney General's office is dedicated to supporting local county attorneys, but the caseload exceeds the office's ability to give appropriate attention to some cases.

### DECISION PACKAGES

- **DP #401 Restore Warden Overtime**    **page C-15**    **\$580,000**  
Funds the Collective bargaining agreement for overtime compensation of existing FTE by reducing excessive comp-time build up for time spent working holidays and call-out response.
- **DP #6101 Professional Development Center Fee Allocation**    **page C-15**    **\$3,734**  
Provides funding for PDC operations for their state training operation.